

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

DUDENHOEFFER, *et al.*,

Plaintiffs,

vs.

FIFTH THIRD BANCORP, *et al.*,

Defendants.

Civil Action No.: 08-cv-538

**PLAINTIFFS' MOTION FOR FINAL APPROVAL OF SETTLEMENT,
CERTIFICATION OF SETTLEMENT CLASS AND APPROVAL
OF PLAN OF ALLOCATION**

Plaintiffs John Dudenhoefer and Alireza Partovipanah (“Named Plaintiffs” or “Plaintiffs”) hereby respectfully move this Court, pursuant to FED. R. CIV. P. 23, for an Order:

1. Granting final approval to the class action settlement in this action on the terms of the Stipulation of Settlement (the “Settlement” or “Settlement Agreement”), executed January 15, 2016 and previously filed with the Court on March 15, 2016, and for certification of the Settlement Class as defined in the Settlement Agreement. Annexed hereto as Exhibit A is the Order and Final Judgment in form agreed to by the Parties and attached to the Agreement as Exhibit A2.

2. Certifying the Settlement Class as defined in the Settlement Agreement; and

3. For such other and further relief as the Court may deem just and proper.

The grounds for this Motion are set forth in the following papers filed contemporaneously herewith:

A. Memorandum in Support of Plaintiffs’ Motion for Final Approval of Class Action Settlement, Certification of Settlement Class and Approval of Plan of Allocation; and

B. Joint Declaration of Mark K. Gyandoh and Thomas J. McKenna in Support of Plaintiffs’ Unopposed Motion for Final Approval of Class Action Settlement, Certification of Settlement Class and Approval of the Plan of Allocation and Motion for Attorneys’ Fees, Reimbursement of Litigation Expenses, and Case Contribution Awards for the Named Plaintiffs and exhibits thereto.

Dated: June 9, 2016

Respectfully submitted,

By: /s/ Mark K. Gyandoh
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Plaintiffs' Counsel

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on June 9, 2016, a copy of the foregoing document was filed electronically. Notice of this filing will be sent to counsel of record by operation of the Court's electronic filing system.

/s/ Mark K. Gyandoh
Mark K. Gyandoh